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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A7966

Michael T. ROSSI, et al.

Appln. No.: 09/851,247

Group Art Unit: 2874

Confirmation No.: 3007

Examiner: Sung H. Pak

Filed: May 09, 2001

For: GEL-SWELLABLE LAYERS ON FIBERS, FIBER RIBBONS AND BUFFER TUBES

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office, except for the following: U.S. patents and/or U.S. patent publications if this application was filed after June 30, 2003; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant authorizes

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 09/851,247


the USPTO to charge our deposit account in the amount of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

 *Kevin M. Barner*  
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 18, 2004



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STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

*Kevin M. Barner*  
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Registration No. 47,177

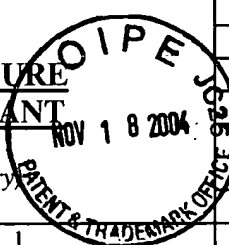
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| Substitute for Form 1449 A & B/PTO   |  |  |  | Complete if Known      |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |  |  |  | Application Number     | 09/851,247       |
|  |  |  |  | Confirmation Number    | 3007             |
|                     |  |  |  | Filing Date            | May 09, 2001     |
|  |  |  |  | First Named Inventor   | Michael T. ROSSI |
|  |  |  |  | Art Unit               | 2874             |
|  |  |  |  | Examiner Name          | Sung H. Pak      |
| Sheet 1 of 1   |  |  |  | Attorney Docket Number | A7966            |

| U.S. PATENT DOCUMENTS |                       |                 |                                      |                                |   |
|-----------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|                       |                       | Number          | Kind Code <sup>2</sup><br>(if known) |                                |   |
|                       |                       | US 6,085,009    | A                                    | 07/04/2000                     | Risch et al.                                    |
|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |
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|                       |                       | US              |                                      |                                |   |
|                       |                       | US              |                                      |                                |   |

| FOREIGN PATENT DOCUMENTS |                       |                           |                     |                                      |                                |   |                          |
|--------------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                |   |                          |
|                          |                       | EP                        | 0 422 573           | A2                                   | 04/17/1991                     | Hattori et al.                                  | Yes                      |
|                          |                       | EP                        | 0 510 967           | A2                                   | 10/28/1992                     | Tu, Ching-Fang                                  | Yes                      |
|                          |                       | WO                        | 01/14922            | A                                    | 03/01/2001                     | Bosisio et al.                                  | Yes                      |
|                          |                       |                           |                     |                                      |                                |   |                          |
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| NON PATENT LITERATURE DOCUMENTS |                       |  |                          |
|---------------------------------|-----------------------|--|--------------------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
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| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.